



# DEPARTMENT OF CONSERVATION

## OFFICE OF MINE RECLAMATION

801 K STREET • MS 09-06 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 323-9198 • FAX 916 / 445-6066 • TDD 916 / 324-2555 • WEB SITE [conservation.ca.gov](http://conservation.ca.gov)

### California Abandoned Mine Lands Forum

Wednesday, March 15, 2006

9:00 a.m. to noon

#### Meeting Location

California State Lands Commission  
100 Howe Avenue, Suite 100 South  
2<sup>nd</sup> Floor Conference Room  
Sacramento, CA 95825

### AGENDA

<u>Time/Duration</u>	<u>Agenda Item</u>
9:00 (0:05)	1. Welcome (Facilitator: Steven L. Jenkins, Michael Brandman Associates)
9:05 (0:05)	2. Introductions & Announcements (Facilitator)
9:10 (0:10)	3. Review Agenda (All)  Purpose: To review and adjust proposed Agenda to reflect member reports and/or updates since last meeting. Outcome: Agreement on Agenda order, topics and timing.
9:20 (0:10)	4. Review Minutes of Previous Meeting (All)  Purpose: To review the previous meeting minutes for completeness and accuracy. See: <a href="http://www.conservation.ca.gov/OMR/abandoned_mine_land/amlu_forum.htm">http://www.conservation.ca.gov/OMR/abandoned_mine_land/amlu_forum.htm</a> . Outcome: Provide any corrections to and/or address any questions about the minutes.
9:30 (0:15)	5. Follow-up to August 2005 Forum Meeting Discussion on Restoration of Abandoned Mine Sites (RAMS) and Funding of High Priority Projects (Cy Oggins, CA Department of Conservation & Mark Cowan, U.S. Army Corps of Engineers)  Purpose: To update the Forum on the RAMS Program and the status of projects proposed by Forum Member agencies for Federal Fiscal Year (FFY) 2007 RAMS funding. Project Managers for several proposed RAMS projects will provide a short description of their respective proposals. Outcome: This discussion will set the stage for Forum Members to identify potential candidate projects for FFY 2008 RAMS funding during a more detailed presentation at the May or August Forum meeting.

**9:45 (0:30) 6. Follow-up to August 2005 Forum Meeting Discussion Regarding Future Forum Meeting Process and Topics (Facilitator & All)**

Purpose: To revisit the need to define a desired “mission” for the Forum, and establish a framework and schedule for accomplishing this goal.

Outcome: This discussion will set the stage for more detailed presentations at subsequent Forum meetings, and engage all Members in helping to get the most benefit for their agency or organization out of the time spent at these meetings.

*(See attached explanation of this Agenda Item.)*

**10:15 (0:15) BREAK**

**10:30 (0:45) 7. Follow-up to December 2005 Forum Meeting Discussion Regarding Cost-Benefit Analysis of Abandoned Mine Closures/Remediation Projects (Facilitator & All)**

Purpose: To develop a better understanding of the potential value of, and how to approach, a cost/benefit analysis for discussion at a future Forum meeting.

Outcome: Committee member comments and suggestions for the type of information that should be collected for Abandoned Mine Closures and Remediation projects, and how it might be used in obtaining funding for such projects.

*(See attached explanation of this Agenda Item.)*

**11:15 (0:10) 8. Other Items / New Business (All)**

Purpose: To afford Members to discuss items of interest that are not on the formal Agenda. This Agenda Item is to be acted on by consensus of the group.

**11:25 (0:15) 9. Summary of Action Items from Meeting (Facilitator)**

Purpose: To accurately summarize items from the meeting that require further action or discussion

Outcome: Develop list of items for further action, responsible party, and due date.

**11:40 (0:10) 10. Future Meeting Schedule and Agenda Ideas (All)**

Purpose: To discuss Committee ideas on location of next meeting on May 17, 2006, schedule of future meetings, and suggested agenda items for discussion.

Outcome: Consensus on meeting dates, location, potential agenda items, and Committee assignments (as needed).

*(See attached explanation of this Agenda Item.)*

**11:50 (0:10) 11. Meeting Evaluation (All)**

Purpose: To improve meeting effectiveness, coordination and resolution of issues.

Outcome: Determine items that went well and those that can be improved upon.

**12:00 12. Adjourn**

## DETAILED DISCUSSION ITEMS:

### 6. FOLLOW-UP TO AUGUST 2005 FORUM MEETING DISCUSSION REGARDING FUTURE FORUM MEETING PROCESS AND TOPICS (FACILITATOR & ALL)

**DUE TO THE LENGTH OF THE ATTACHMENT  
FOR AGENDA ITEM # 6, IT IS INCLUDED, OUT OF ORDER,  
AT THE END OF THIS MATERIAL**

### 7. FOLLOW-UP TO DECEMBER 2005 FORUM MEETING DISCUSSION REGARDING COST-BENEFIT ANALYSIS OF ABANDONED MINE CLOSURES/REMEDATION PROJECTS (FACILITATOR & ALL)

Agenda Item #7 is intended to lay the groundwork for a focused discussion of the costs and benefits of Abandoned Mine Closures and Remediation Projects that would start at the May 17, 2006 meeting of the AML Forum. It would be helpful for the group discussion at the May meeting, if each Member (government, contractor, other) who has managed or worked on an Abandoned Mine Closure or Remediation Project would be willing to take a few minutes to describe the results of a sample "cost/benefit" type of approach for one example of a typical Project (chemical remediation, restoration, bat gate installation, backfill, foam plug or other type of closure, etc.) that they or their agency or organization has undertaken.

The following template might be helpful in this regard. Please e-mail a copy of a brief written 1-2 page handout listing as much detail as possible to Sarah Reeves by May 3, 2006 so that it can be distributed to Forum members. Contact: [Sarah.Reeves@conservation.ca.gov](mailto:Sarah.Reeves@conservation.ca.gov).

Draft Template of Cost/Benefit Information For Abandoned Mine Project March 7, 2006		
Mine/Project Name:		
County:	Acreage:	Type of Mine:
Brief description of the Problem:		
Unique Project characteristics:		
Agencies and Permits involved:		
Time schedule for overall Project completion (by Phase if applicable):		
Identification of Internal Staff / Agency / Organization Costs		
Staff hours:	Cost per hour:	Total staff cost:
Consultant costs, including hours and total cost (by Task if applicable):		
Consultant cost:	Cost per hour:	Total consultant cost:
Contractor costs, including hours and total cost (by Task if applicable):		
Contractor cost:	Cost per hour:	Total contractor cost:
Other costs such as equipment, materials, etc.		

Briefly suggest how you might describe and quantify the monetary “benefits” of the Project such as:		
	Value of preventing liability claims:	
	Per acre value of a specific habitat type that has been restored:	
	Value of a resource use day or recreational use day or similar that would not otherwise have been available:	
	Value of any other benefit that might be specific to the type of Project:	
Briefly describe how the above cost and benefit information might be used:		
Other comments, suggestions or other items that may be of interest to Forum members:		

**10. FUTURE AML FORUM SCHEDULED MEETING DATES (QUARTERLY/3RD WEDNESDAY)**

<b>2006</b>	<b>2007</b>
March 15, 2006	February 21, 2007
May 17, 2006	May 16, 2007
August 16, 2006	August 15, 2007
November 15, 2006	November 21, 2007

## **6. FOLLOW-UP TO AUGUST 2005 FORUM MEETING DISCUSSION REGARDING FUTURE FORUM MEETING PROCESS AND TOPICS (FACILITATOR & ALL)**

### **SUMMARY OF ITEMS OF INTEREST FROM FORUM CHARTER (revised Dec 2005)**

**II. Forum Purpose:** The California AML Forum shall provide a forum for professionals from all levels of California government and other stakeholders including concerned citizen groups and environmental consultants, to share knowledge, resources and technical and financial solutions that lead to better abandoned mine remediation. Specifically, the Forum will:

1. Represent the diversity of interests in abandoned mine remediation in California and identify areas of common concern within which to take group action.
2. Take a leadership role in planning ways to address high priority areas identified by the group. This includes identifying opportunities to collaborate and/or forming partnerships in order to get the job done.
3. Advance professional/technical knowledge by exchanging “Lessons Learned” experiences, approaches and essential ideas related to evolving AML initiatives and policies.
4. Support a more efficient and effective implementation of programs and tools used to address California’s abandoned mine land problems.
5. Use its website to record this group’s work and to further relevant information dissemination to all parties interested in California’s abandoned mine lands remediation work.
6. Provide input to develop criteria for selecting and addressing abandoned mine sites for remediation.

### **SUMMARY OF ITEMS OF INTEREST FROM PREVIOUS AML FORUM MEETINGS**

#### **February 11, 2003 (INITIAL MEETING OF AML FORUM)**

##### **Extended Introductions (including current projects and AML interests)**

Carol asked attendees to introduce themselves. In addition to providing name and agency/employer, she asked participants to identify the types of AML projects that each person is working on and to identify subjects that each would like to see explored through this forum. This information is summarized in a Contact Table, which the participants determined they would like developed and maintained. The project topics were condensed and categorized as follows:

- Mining affects on biota
- Arsenic mines
- Cleanup Priorities
- Acid Mine Drainage
- FERC Re-licensing and associated environmental studies
- Sediment impacts to watersheds
- Management measures and their application to keep mine contaminants and sediment on site/out of the water
- Closure of physical hazards
- Funding and Partnerships
- Metals transport

- Remediation Projects
- Asbestos Mining
- Liability associated with mine remediation
- Good Samaritan legislation (federal level)

Other comments highlighted in this discussion included:

- A suggestion was made to form workgroups based on subwatersheds.
- It was recognized that the location of a mine from infrastructure challenges us to increase creativity of a remediation project.
- As acid mine drainage has dramatic affects on a waterbody, the question was raised as to "what can reasonably be restored with respect to fish and benthos?"
- The State Water Resources Control Board Interagency Coordinating Committee Subcommittee on Abandoned Mine Lands, which had met twice in 2002, decided to disband as participants felt that their dialog was best continued in this statewide forum.
- With an increase in the price of gold, the interest and activity in gold mining may also increase.
- Group members were interested in generating "living" information documents from discussions in this Forum.

It was noted that representatives from US EPA and the Army Corp of Engineers were not present. Group participants also expressed the desire to see more representatives from county government in attendance. The group asked Carol to follow-up in contacting these entities.

### **May 15, 2003**

Doug Craig, manager of the Abandoned Mine Lands Unit (AMLU) for the Office of Mine Reclamation of the Department of Conservation, welcomed attendees. He reminded participants that state programs investigating and working on abandoned mines are housed in many different agencies and that the goal for this Forum is to create greater dialog on the issues that these respective agencies are working on, as well as incorporating dialog with local and federal agencies, and industry.

### **August 13, 2003**

#### **Clarification of Forum Role/Meeting Format**

Carol reviewed the current format of the forum meetings, which includes presentations and facilitated discussions on topics identified by meeting participants. Meeting attendees indicated that they liked the current structure and would like to see it continued.

### **February 23, 2005**

#### **Next Meeting**

Facilitator Lahay shared with the group that there were two agenda items she and Doug had discussed so far for the May meeting and asked the group for other potential agenda items. The following list includes all topics that surfaced.

- A review of this group's primary mission, what it wants to accomplish in the next year and how to possibly change the format (has drifted over time to straight presentations) in a way that allows more collaborative group problem-solving and planning vs. continuing with solely information presentations.

**Aug 24. 2005**

**Priority topics for future AML Forum meetings: (not in any order)**

1. Currently, there is a shortage of reliable contractors with the expertise needed to work on abandoned mine remediation projects. This results in project delays as well as cost overruns. How can this group help ensure a sufficient supply of expert *and* reliable contractors?
2. Many agencies currently do not have the resources in-house to do the NEPA or CEQA work necessary for their projects, creating a barrier to the pace and/or completion of some projects. How can this group help to resolve this issue?
3. Should future funding become available, California's primary agencies concerned with abandoned mine remediation work do not have a common agreement on a list of the most important projects to fund. This may jeopardize California's ability to respond quickly to information requests or offers of funding from other entities. Can this group come to consensus on general priorities and complete more project scope detail for those priorities in advance of the notice of funds?
4. Could this group help to create common job aids/procedural support documents for use by cities and counties in their technical mine investigational work?
5. **Abandoned Mine Liability** still has not been adequately addressed in order for entities to perform remediation or restoration work. Curtis Lindskog brought up another aspect of the liability issue: many abandoned mine operators had insurance policies that can still be traced and found today (possible new responsible parties?)
6. **Brownsfield Conference:** Carol Russell announced a Brownfields Conference in Denver on November 1st that will include a lot of discussion of abandoned mines and liability issues. Contact Carol at 303-312-6310 or visit [www.epa.gov/brownfields](http://www.epa.gov/brownfields) for more information.
7. **Good Samaritan Law:** What are the key elements of the Good Sam Legislation that this group believes California should adopt? The group discussed several states with current laws that might warrant review. The group also wanted to assemble some key experts (such as Western Governors Association, etc.) Meanwhile, specific sample legislation will be gathered and provided as member pre-work before the next Forum meeting:
  - § CA Water Code Provision
  - § PA's Good Sam Law
  - § Several congressional Good Sam Leg attempts made by Baukus and Udall
8. **Access to private property sites** for inventory and ultimately remediation is difficult for some agencies to achieve. There are also issues with mixed ownership between private and public lands.

9. **Look at refining the current databases** and improving data consistency and therefore comparability between agencies. Agencies have different databases and methodology for collecting the data. Is there a way to form a clearinghouse for this information?

### **August 24, 2005**

#### **Funding of High Priority Projects**

A suggestion came up in the May meeting about developing a priority list of projects that are ready to go as soon as the funds become available. The funds in question are the RAMS (Restoration of Abandoned Mine Sites) funds. Doug Craig took a few minutes to describe what the RAMS program is about and the recent changes in the language

**Action Item:** An ad hoc group was formed to include the following agencies: BLM, USFS, SLC, Parks and Rec, US Fish and Wildlife, DFG, BOR, DOC. Sarah will make contact and set up the initial meeting.

#### **Meeting Evaluation:**

##### **Meeting Deltas (improvements or changes)**

- We need to prioritize topics and issues remaining for other future meetings
- Ad hoc report outs should be at summary level, with pre-reading to maximize good discussion at the group meeting

### **December 14, 2005**

#### **Meeting Evaluation:**

##### **Meeting Pluses**

- The group liked having time for follow-up discussions (for example, the cost-benefit analysis examples today, and the discussion that followed after the Border issues item several meetings ago).

##### **Meeting Deltas/Improvements**

- Need even more time after presentations for questions, closure, and next steps.
- Focus presentations on key stumbling blocks, solutions, and lessons learned.
- Suggest that future agenda topics also state the desired outcome.
- Post presentations on the AML Forum website before and after our meetings.